

REMARKS:

In the outstanding Office Action, claims 1-12 were rejected. Claims 1-12 have been amended for clarification. New claim 13 has been added. Thus, claims 1-13 are pending and under consideration. No new matter has been added. The rejections are traversed below.

OBJECTION TO THE ABSTRACT:

At page 2 of the outstanding Office Action, the Examiner objected to the Abstract of the present application.

The Abstract has been reviewed in response to this Office Action and changes have been made to the Abstract to conform to the requirements of MPEP §608.01(b).

Withdrawal of the objection to the Abstract is respectfully requested.

OBJECTION TO THE DRAWINGS:

At page 2 of the outstanding Office Action, the Examiner objected to the drawings of the present application and indicated that the “discrimination information” feature recited in the claims is not illustrated in the drawings as filed.

Claims 1-4 reciting the feature “discrimination information” are hereby amended to recite “menu information”.

Accordingly, withdrawal of the objection to the Abstract is respectfully requested.

REJECTION UNDER 35 U.S.C. §112¶1:

At page 3 of the outstanding Office Action, the Examiner rejected claims 1-4 under 35 U.S.C. §112¶1.

As mentioned above, claims 1-4 reciting the “discrimination information” feature are hereby amended to recite “menu information”.

Accordingly, withdrawal of the rejection under 35 U.S.C. §112¶1 is respectfully requested.

REJECTION UNDER 35 U.S.C. §102(e):

Claims 1-12 as best understood by the Examiner are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,236,974 ('974).

The present invention is directed to managing comprehensive information of menus

including ingredients, corresponding amounts thereof, and sales information of each menu.

'974 discusses a method and apparatus for automated selection and organization of products including menus based on comparison a family's preferences.

The '974 apparatus maintains a family food preference vector based on whether the family rejects or accepts a menu through a choice subsystem (see, column 4, lines 36-42 of '974). The family's preferences are represented as a vector of numbers that indicate a preference that ultimately needs to be present in the recipe (exclusive) and that indicate a measure of how preferable something is to a certain family (non-exclusive) (see, column 4, lines 55-65 of '974). Then, the exclusive vector positions of a recipe vector is compared against the exclusive vector positions of the family food preference vector, and upon a complete match of the exclusive vector positions, the apparatus proceeds to determine suitability weight of the recipe for the family (see, FIG. 6 and corresponding text). This means that the '974 apparatus is directed to determining suitability of a menu based on comparison of vectors indicating what a recipe has present and a family's preference.

In contrast, the present invention as recited in amended independent claims 1-4 includes "comparing the amount of said ingredient searched... with amounts of ingredients corresponding to the sale unit" and "outputting a result indicative thereof". This enables comparison of an amount of an ingredient indicated in a search with amounts of ingredients corresponding to the sale unit, thereby allowing information of new dishes to be obtained using ingredients which may have remained from previous dishes. The '974 that is directed to comparing exclusive vector positions of a recipe vector against exclusive vector positions of a family food preference vector does not teach or suggest, "comparing the amount of said ingredient searched... with amounts of ingredients corresponding to the sale unit" and "outputting a result indicative thereof".

Moreover, amended independent claims 5-8 recite, "storing a first successful sale coefficient representing a probability of purchasing ingredients of a first menu and a second successful sale coefficient representing a probability of purchasing the ingredients of a second menu inquired in relation to the first menu", where "expected sales of the ingredients" of the first menu and the second menu are computed based on corresponding ingredients, a number of distributions, and the successful sale coefficients. This enables the present invention to combine ingredient information and sales information, thereby allowing automatic comparison of an ingredient and sales information thereof. For example, a sales clerk is able to obtain the combined information of ingredients and sales information of the ingredients without engaging in computation operations.

It is respectfully asserted that independent claims 1-8 are patentably distinguishable over '974.

For at least the above-mentioned reasons, claims depending from independent claims 1-8 are patentably distinguishable over '974. The dependent claims are also independently patentable. For example, as recited in claims 9-12, the present invention includes, "transmitting ingredients of a first menu and a number of distributions of the first menu to a user terminal" and "transmitting ingredients of a second menu inquired in relation to the first menu and a number of the inquiries of the second menu to the user terminal". The '974 method does not teach or suggest, transmitting ingredients of "a first menu" a number of distributions thereof and "ingredients of a second menu inquired in relation to the first menu", as recited in claims 9-12.

Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIM:

New claim 13 has been added to emphasize that the present invention includes, "storing menu information and amounts of ingredients necessary to prepare each menu indicated in the menu information and storing a sale unit for each ingredient of each menu" and "outputting data of an ingredient, a sale unit and an amount of the ingredient upon a menu search". Further, "the amount of the ingredient indicated as a result of the menu search is compared with amounts of ingredients corresponding to the indicated sale unit and an indication is provided when the ingredient indicated is less than the sale unit".

This provides comprehensive menu information including ingredients, amounts and sales information thereof, and further allows results of menu searches to reflect information such as remaining ingredients from previously provided menus, etc.

Applicants respectfully assert that new claim 13 is patentably distinguishable over '974.

CONCLUSION:

Accordingly, the Abstract and claims 1-12 have been amended for clarification. New claim 13 has been added. Thus, claims 1-13 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

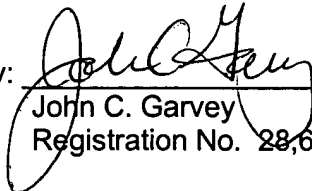
If there are any additional fees associated with filing of this Amendment, please charge

the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 11-15-04

By: 
John C. Garvey
Registration No. 28,607

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501